

July 8 2010

**ORIGINAL**Ed Smith  
CLERK OF THE SUPREME COURT  
STATE OF MONTANA

Brandi R. Ries  
Attorney for Appellant  
P.O. Box 1773  
Polson, MT 59860  
Phone: (406) 890-0664  
E-mail: brandi@doveslakecounty.org

Amy S. Rubin  
Attorney for Appellant  
P.O. Box 8342  
Missoula, MT 59807  
Phone: (406) 541-4141  
E-mail: amysrubin@msn.com

**FILED**

JUL 08 2010

Ed Smith  
CLERK OF THE SUPREME COURT  
STATE OF MONTANA

**IN THE SUPREME COURT OF THE STATE OF MONTANA**  
Supreme Court Cause No. \_\_\_\_\_

IN RE THE MARRIAGE OF:  
  
VALERIE LEA DUNKLE,  
  
APPELLANT,  
  
and  
  
SHAWN ALLEN HARGROVE,  
  
APPELLEE.

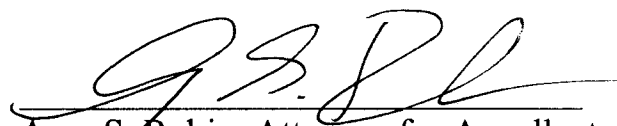
**MOTION TO PROCEED ON  
APPEAL WITHOUT  
PAYMENT OF FILING FEE**

COMES NOW the Appellant, Valerie Lea Dunkle, by and through her attorneys of record, Brandi R. Ries and Amy S. Rubin, and moves this Court to proceed without payment of the filing fee in this cause. The Appellant has submitted an Affidavit in support of her Motion.

DATED this 7<sup>th</sup> day of July, 2010.



Brandi R. Ries, Attorney for Appellant



Amy S. Rubin, Attorney for Appellant

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David Stuftt  
P.O. Box 2559  
Kalispell, MT 59903

Branc R.A.

Brandi R. Ries  
P.O. Box 1773  
Polson, MT 59860  
Attorney for Appellant

**ORIGINAL**

1 Brandi R. Ries  
2 Attorney for Appellant  
3 P.O. Box 1773  
4 Polson, MT 59860  
5 Phone: (406) 890-0664  
6 E-mail: brandi@doveslakecounty.org

7 Amy S. Rubin  
8 Attorney for Appellant  
9 P.O. Box 8342  
10 Missoula, MT 59807  
11 Phone: (406) 541-4141  
12 E-mail: amysrubin@msn.com

**FILED**

JUL 08 2010

*Ed Smith*  
CLERK OF THE SUPREME COURT  
STATE OF MONTANA

**IN THE SUPREME COURT OF THE STATE OF MONTANA**

Supreme Court Cause No. \_\_\_\_\_

13 IN RE THE MARRIAGE OF:  
14 VALERIE LEA DUNKLE,  
15 APPELLANT,  
16 and  
17 SHAWN ALLEN HARGROVE,  
18 APPELLEE.

**AFFIDAVIT IN SUPPORT OF  
MOTION TO PROCEED ON  
APPEAL WITHOUT  
PAYMENT OF FILING FEE**

19 COMES NOW the Appellant, Valerie Lea Dunkle, and provides this  
20 Affidavit in Support of the Motion to Proceed on Appeal without Payment of  
21 Filing Fee.  
22

23 I, Valerie Lea Dunkle, being first duly sworn, depose and say that I am the  
24 Appellant in the above-entitled cause; that in support of my application to proceed  
25

1 on appeal without being required to pay the filing fee, I state that because of my  
2 financial condition I am unable to pay the filing fee; that I believe I am entitled to  
3 redress; and that the issue which I desire to present on appeal is the "Order  
4 Denying Petitioner's Motion to Vacate Decree, Denying Proposed Parenting Plan,  
5 and Denying Appointment of Guardian ad Litem." The Petitioner's Motion was  
6 brought for failure to follow Rule 10 of the District Court Uniform Rules and this  
7 issue was not addressed in the court's Order. The court also denied the Petitioner's  
8 Motion to modify the parenting plan.

11 I further swear that the responses which I have made to the questions and  
12 instructions below relating to my ability to pay the cost of prosecuting the appeal  
13 are true.

15 1. Are you presently employed? No.

16 2. Have you received within the past 12 months any income from a  
17 business, profession or other form of self-employment, or in the form of rent  
18 payments, interests, dividends, or other source of income? No.

20 3. Do you own any cash or checking or savings account? \$25.00 in cash. I  
21 do not have a checking or savings account.

22 4. Do you own any real estate, stocks, bonds, notes, automobiles, or other  
23 valuable property (excluding ordinary household furnishing and clothing)? No.  
24  
25

1 5. List the persons who are dependent upon you for support and state your  
2 relationship to those persons.

3 I have been court-ordered to pay \$260 per month in child support for the  
4 support of my two children, I.V.R. and D.R.R. My children reside with their  
5 father.  
6

7 6. List your outstanding debts or liabilities.

8  
9 Approximately \$8,500 in child support;  
10 Approximately \$17,000 in student loans;  
11 \$1,211.74 Kalispell Regional Medical Center;  
12 \$56.00 Evergreen Clinic;  
13 \$79.00 Montana OrthoPhysical Therapy;  
14 \$313 Glacier Neuroscience & Spine; and  
15 \$500 Personal Loans.

16 I understand that a false statement or answer to any question in this affidavit  
17 will subject me to penalties for perjury.

18 DATED this 7<sup>th</sup> day of July, 2010.

19 Valerie Dunkle  
20 Valerie Lea Dunkle, Appellant

21 SUBSCRIBED AND SWORN TO before me this 7 day of July, 2010.



JIME R. BENITEZ  
NOTARY PUBLIC - MONTANA  
Residing at Missoula, Montana  
My Comm. Expires Mar. 12, 2012

Jime R Benitez  
Name (printed) Jime R Benitez  
Notary Public for the State of Montana  
Residing at: Missoula  
My Commission Expires: March 12, 2012